GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Revenue Department - Sri Y.Hanumantha Rao, former Junior Assistant, O/o Tahsildar, Ongole and present Additional Revenue Inspector, O/o Tahsildar, Kondapi - Allegations in issuance of PPB and TDs to stream poramboke situated in Sy.No.1 & 2 Cheruvukommupalem Village of Ongole Mandal. - Disciplinary proceedings under rule - 24 r/w rule - 20 of Andhra Pradesh Civil Services (Classification Control & Appeal) Rules, 1991 - Articles of charge - Issued.

REVENUE (VIGILANCE-I) DEPARTMENT

G.O.Rt.No.54 **Dated: 17.01.2024**
Read:

G.O.Ms.NO.11, Revenue(Vig.I) Department, Dt: 17.01.2024

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ORDER:

In pursuance to the G.O read above, it is proposed to hold an enquiry against Sri Y.Hanumantha Rao, former Junior Assistant, O/o Tahsildar, Ongole and present Additional Revenue Inspector, O/o Tahsildar, Kondapi with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification Control & Appeal) Rules,1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry are proposed to be held is set out in the enclosed statement of Articles of Charges (Annexure - I). A list of documents by which, and a list of witnesses by whom the articles of charges are proposed to be sustained are also enclosed (Annexure-II & III).

3. Sri Y.Hanumantha Rao, former Junior Assistant, O/o Tahsildar, Ongole and present Additional Revenue Inspector, O/o Tahsildar, Kondapi is directed to submit a written statement of his defense within 10 days of receipt of this order.

4. Sri Y.Hanumantha Rao, former Junior Assistant, O/o Tahsildar, Ongole and present Additional Revenue Inspector, O/o Tahsildar, Kondapi is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Y.Hanumantha Rao, former Junior Assistant, O/o Tahsildar, Ongole and present Additional Revenue Inspector, O/o Tahsildar, Kondapi is further informed that if they do not submit his written statement of defense on or before the date specified in para 3 above further action will be processed based on the material available.

6. Attention of Sri Y.Hanumantha Rao, former Junior Assistant, O/o Tahsildar, Ongole and present Additional Revenue Inspector, O/o Tahsildar, Kondapi invited to Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri Y.Hanumantha Rao, former Junior Assistant, O/o Tahsildar, Ongole and present Additional Revenue Inspector, O/o Tahsildar, Kondapi is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules 1964.

7. The receipt of the Memorandum may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS &DM)(FAC)

To
Sri Y.Hanumantha Rao, former Junior Assistant, O/o Tahsildar, Ongole and present Additional Revenue Inspector, O/o Tahsildar, Kondapi (Through the Chief Commissioner of Land Administration, A.P., Mangalagiri for service and to return the served copy with dated acknowledgement immediately (By RPAD))
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
Copy to:
The District Collector, Prakasam.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI Y. HANUMANTHA RAO FORMER JR. ASST., O/O TAHSILDAR, ONGOLE AND PRESENT ADDITIONAL REVENUE INSPECTOR, O/O TAHSILDAR, KONDAPI.

Article of Charge - 1:

That Sri Y.Hanumantha Rao, while working as Jr.Asst., O/O Tahsildar, Ongole has processed old Pattadar Pass books bearing No.H-100807 having Khata No.695 in the name of Sri Kareti Rangarao s/o Lakshminarayana and he put in his initials on passbooks, making certain corrections on them pertaining to the land in Sy.No. 1& 2 of Chervukommupalem Village, Ongole Mandal which classified as Stream Poramboke (Vagu) which is government property without following rules and regulations.

Thus, he has exhibited lack of devotion to duty and failed to maintain absolute integrity, discipline, impartially and behaved with negligent manner which comes within the ambit of misconduct under rule 3 of APCS (conduct) Rules, 1964. Hence the charge.

Article of Charge-2:

That Sri Y.Hanumantha Rao, while working as Jr.Asst., O/o Tahsildar Ongole, has processed manual Pattadar Pass Books to issue in the name of Smt. Dvauluri Jayalakshmi w/o Venkateswarlu to the lands in question which were classified as Vagu Poramboke illegally, though he is well aware that Government launched e-Governance system in AP.State during the year 2015 in which, e-pattadar Pass Book shall be issued through Meeseva service to the pattadars instead of manual PPBs.

Thus, Sri Y.Hanumantha Rao by his above mentioned acts has exhibited lack of devotion to duty and failed to maintain absolute integrity, impartiality and discipline and there by contravened Rule 3 (1) of A.P.C.S (Conduct) Rules 1964. Hence the charge.

Article of Charge -3:

That Sri Y.Hanumantha Rao, while working as Jr.Asst., O/o Tahsildar, Ongole has processed old Pattadar Pass books bearing No.H-100807 having Khata No.695 in the name of Sri Kareti Rangarao s/o Lakshminarayana, mutated in the name of Smt. Davuluri Jayalshmi w/o Venkateswarlu illegally without issuing any proceedings regarding the changes effected in the manual PPB.

Thus, Sri Y.Hanumantha Rao by his above mentioned acts has exhibited lack of devotion to duty and failed to maintain absolute integrity, impartiality and discipline and there by Contravened Rule 3 (1) of A.P.C.S (Conduct) Rules 1964. Hence the charge.

Article of Charge - 4:

That Sri Y.Hanumantha Rao, while working as Jr.Asst., O/o Tahsildar, Ongole has processed manual Pattadar Pass Books to the Govt land classified as VaguPormaboke and mutated in favour of Davuluri Jayalkshmi without verifying the Village Records and involved in mutating the Government property to the private persons.

Thus, Sri Y.Hanumantha Rao with a malafied intention committed irregularities which amounts to misconduct as per the provisions contained in rule 3(1) of the A.P.C.S (Conduct) Rules, 1964. Hence the charge.

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS &DM)(FAC)

//FORWARDED:BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI Y. HANUMANTHA RAO FORMER JR. ASST., O/O TAHSILDAR, ONGOLE AND PRESENT ADDITIONAL REVENUE INSPECTOR, O/O TAHSILDAR, KONDAPI.

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(1) An adverse news item was published in Eenadu daily newspaper on 14.09.2016 with the caption "Addanga Dorikipoyaru" regarding irregularities committed by the Tahsildar, Ongole is issuance of PPB/TD to stream(Vagu) Pormaboke. On the news item, the District Collector, Prakasam has appointed the Special Deputy Collector, Vigilance Cell (CS), Ongole as enquiry officer to enquiry and submit report.

(2) On the part of enquiry, the Special Deputy Collector, Vigilance Cell (CS), Ongole and Inquiry Officer has requested the Tahsildar, Ongole to give a detailed written statement on the following points mentioned in Questionnaire.

1. Whether the classification of land in Sy.No. 2 and 3 of Chervukommupalem Village verified as per RSR or not?

2. If it is verified whether the classification of the land is changed from Vaguporamboke to AW land?

3. If yes, are you verified DK Register/ F.Dis files/ Assignment Committee register?

4. If not, reasons for issuing of manual Pass Book.

5. Whether the manual PPB issue system is in force or not at the time of issuing of PPB & TD by you?

6. Whether the said person filed any application in Meeseva?

7. If not, whether he filed any manual application?

8. Whether the VRO report obtained or not?

9. Whether the Revenue Inspector report obtained or not?

10. Who is the Assistant/ Deputy Tahsildar concerned, processed/ circulated the said file to you?

11. Whether proceedings issued under ROR Act, duly following the usual formalities?

12. If Yes, whether it is uploaded in webland software or not?

13. Whether proceedings issued under ROR Act, duly following the usual formalities?

14. Whether old kahata No. 965 is cancelled or not?

15. Is there any procedure for issue of old Khata Number to New Pattadars?

16. Are you aware of dispense of issue of Manual PPB & TD by the Govt.

17. What is the necessity of change of names photos/ Caste and other details made in the PPB of Sri Kareti Rangarao s/o Lakshminarayana to the Pattadar which was signed by you?

18. Who is the custodian of IB Records?

19. Who tampered/torned the IB Record?

20. Are you verified the 22A list pertaining to Chervukommupalem Village or not?

(Contd..2)

(3) As per FLR of Chervukommupalem Village, the total extent of the land measuring an extent Ac.9.64 cents in Sy.No.1 and Ac.2.70 cents in Sy.No.2 are classified as "Stream Poramboke". In the year 2004, the then Tahsildar, Ongole had issued Pattadar Pass Book & Title Deed bearing No.100807 to Kareti Rangarao s/o Lakshminarayana to an extent Ac.0.11 cents in Sy.No.1/6 and Ac.1.14 cents in Sy.No.2/5 vide K.No.695 and it has been entered in Webland software and digitally signed by the then Tahsildar, Ongole who worked on 18.08.2012. Subsequently, the said Rangarao has executed the said lands to Smt. Davuluri Jayalakshmi, w/o Venkateswarlu vide Regd. Sale deed No.7452/2011, dated 31.05.2011 and subsequently, it is has been amended vide Regd. Doc.No.12206/2011, dated 17.08.2011. Whereas the Tahsildar who worked in the month of May, 2013 had revoked the said lands and entered the name of Davuluri Jayalakshmi w/o Venkateswarlu against the said lands, duly allotted the IB Khata No.695 to her, which was already allocated to her vendor and digitally signed in the Webland software on 27.05.2013.

(4) During the enquiry, it has been brought to the notice of the enquiry officer that the Tahsildar who worked in the month of May, 2013 had stated the lands in question in favour of Davuluri Jayalakshmi without granted Pattadar Pass Books/ Title Deeds and allotted 1B K.No.695 to her which was already allocated to Kareti Rangarao. Even though, the land in question are classified as VaguPoramboke as per FLR of Chervukommupalem Village, the then Tahsildars of Ongole Mandal had issued PPB & TD to the kareti Rangarao and mutated in favour of Kareti Rangarao and subsequently, in favour of Davuluri Jayalakshmi in webland software, illegally.

(5) While it was so, the Government have launched e-Governance system in A.P. state during the year 2015, in which e-Pattadar Pass Book shall be issued through Meesevaservice to the Pattadars instead of manual Pattdar Pass Books. Since then, the e- Pattadar Pass Books system has been strictly implemented in Prakasam District.

(6) In the meanwhile, the present Tahsildar has issued manual PPB to Davuluri Jayalakshmi w/o Venkateswariu to the lands in question which were classified as Vagu Poramboke, illegally. During the enquiry, it is revealed that the present Tahsildar, Ongole has not conducted enquiry either himself or his executive staff and issued manual PPB to her even though the system of issuing manual PPBs was superseded. As could be verified from the copy of manual PPB issued in favour of Davuluri Jayalakshmi, it is noticed that;

i.Instantly, the PPB bearing No.H.100807 was given to Kareti Rangarao, s/o Lakshminarayana duly allotted IB Patta/ Khata No.695.

ii.The caste of Kareti Rangarao was noted as "BC"

iii.TheTahsildar, Ongole had rounded of the name of Kareti Rangarao on the said PPB and written the name of Smt. Davuluri Jayalakshmi, w/o Venkateswarlu.

iv.The BC caste which was noted in caste column of PPB, had been changed into OC.

v. The concerned Assistant had put his initial on the mutation done by the Tahsildar, Ongole.

(7) It is also revealed that as per the procedure in issuing of e-Pattadar Pass Book, the candidates who are having lands in the jurisdiction of Ongole Mandal have to apply for sanction of new e-PPB in Meeseva service. Whereas, in the instance case, Smt. Davuluri Jayalakshmi has filed an application NO.RPP011600408593 in Meeseva for replacement of PPB on 19.02.2016. The Tahsildar, Ongole had rejected said application on 28.03.2016 with the remarks "already PPB issued". Whereas, before rejected the said application, the Tahsildar, Ongole has issued manual PPB to her on 22.02.2016 without conducting proper enquiry through his executive staff i.e concerned Village Revenue Officer and Additional Revenue Inspector, Ongole with reference to field as enthusiastic. Hence, it is clearly apparent that the Tahsildar, Ongole is well aware about the said Jayalakshmi is not having Pattadar Pass Book, she fled the application for

(Contd..3)

replacement of PPB without having PPB earlier, she has not filed an application for new e-PPB in Meeseva and moreover, even-though the said application was filed on 19.02.2016 in Mee-seva, the Tahsildar, Ongole had directed the B-Asst. on the margin of Form-6A Mee-seva application on 1.2.2016 that Plz. Verify all documents and IB register. As such, the Tahsildar, Ongole had rejected the said application on 28.03.2016 duly issued the manual PPB in her favour on 22.02.2016 with a pre-occupied mind.

(8) It was also revealed that the Tahsildar,Ongole did not issued any proceedings regarding the changes effected in the manual PPB. In this regard, no file was circulated in Tahsildar's Office through proper channel.

(9) As could be verified from ROR IA Register maintained in Tahsildar's Office, Ongole, it is noticed that the page pertaining to Sy.No. 1 & 2 was torned/ incisal out. During the enquiry, it is revealed that the 1A Registers pertaining to Ongole Mandal have been kept in the custody of Tahsildar. As such it is apparent that the page pertaining to Sy.No. 1 & 2 might be torned by the Tahsildar, Ongole.

(10) With regard to Tanks, Kuntas, Ponds Lakes, Forests etc., the Hon'ble Supreme Court have issued orders in C.A. No.4787/2001, on 25.7.2001 "that it is important to notice that the material resources of the community like forests, tanks, ponds, hillock, mountain etc., are nature's bounty. They maintain delicate ecological balance. They need to be protected for a proper and healthy environment, which enables people to enjoy a quality life, which is the essence of the guaranteed right under Article 21 of the constitution. The Government, including the Revenue authorities having noticed that a pond is falling in disuse, should have bestowed their attention to develop the same which would, on one hand, have prevented ecological disaster and on the other hand provided better environment for the benefit of the public at large. Such vigil is the best protection against knavish attempts to seed allotment in non abadi sites". The state including respondents 11 to 13 shall restore the pond, develop and maintain the same as a recreational spot, which will undoubtedly be in the best interest of the villagers. Further, it will also held in maintaining ecological balance and protecting the environment in regard to which this court has repeatedly expressed its concern. Such measures must begin at the gross-root level if they were to become the nation's pride.

(11) The Government have issued prohibition orders in Govt. Memo.No.24140/Assignent-1(1)/2003-03, dated 22.08.3003 in connection with allocation of lands to RWS that" the tanks, Kuntas, Ponds, Lakes etc., are the sources of irrigation and these water bodies are helping in maintenance of ecological balance including the scare resources of ground water and area indispensable for protection and improvement of environment. The Water sources includes Projects, Reservoirs, Tanks, Kuntas, Stream, Pond Lake, River, canal etc. as such, the Vagu, Vanka, River Pormabokes comes under water bodies.

(12) The Government in G.O.Ms.No.571, Rev. (Ass-I) Dept., dated 14.09.2012, have ordered that environmentally sensitive and fragile areas such as tank beds, river beds,river beds, hillocks with afforestation etc., shall not be alienated or allotted.

(13) Further, the Hon'ble high Court, A.P., Hyderabad have passed an order in W.P.No.7981 of 2012 filed by the Secretary of Prakasam District PrajasamkshemaSevaSangham, Ongole that "the District Administration and the Municipal Corporation are directed to ensure that not only the water spread areas of the tank in question but also that of any other tank in the administration is not put to any other use. Any official, who is found responsible for allotment of tank beds in whatever capacity, shall be held liable to be prosecuted in future" The Chief Commissioner of Land Administration, A.P., Hyderabad while issued certain guidelines to all the District Collectors in the state in CCLA &Spl.CSRef.No.B21543, dated 18.03.2013 had reiterated the Hon'ble Supreme court orders noted above.

(14) Sri Y.Hanumantha Rao, Jr.Asst., O/o Tahsildar, has processed old Pass books bearing No.H-100807 having Khata No.695 in the name of Sri Kareti Rangarao s/o Lakshminarayana and he put in his initials on passbooks, making certain corrections on them pertaining to the land in S.No. 1& 2 of Chervukommupalem Village, Ongole Mandal which was classified as Stream Pormaboke (Vagu) which is government property without following rules and regulations as he involved in mutating the Government property to the private persons illegally without issuing proceedings regarding the changes effected in the manual PPB.

(Contd..4)

(15) Thus, the above mentioned acts, Sri Y. Hanumantha Rao, Jr.Asst., O/o Tahsildar, Ongole has committed irregularities, while discharging his legitimate duties and flouted rules and regulations and caused illegal transfer of Government land to the private persons and he failed to discharge his legitimate duties with a malafide intention and exhibited lack of devotion to duty and failed to maintain absolute integrity, discipline, impartiality and a sense of propriety and behaved in negligent manner which comes within the ambit of misconduct, under rule 3 of the A.P.C.S., (conduct) Rules, 1964.

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS &DM)(FAC)

//FORWARDED:BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI Y.HANUMANTHA RAO, FORMER JR.ASST., O/O TAHSILDAR, ONGOLE AND PRESENT ADDITIONAL REVENUE INSPECTOR, O/O TAHSILDAR, KONDAPI ARE PROPOSED TO BE SUSTAINED.

Report of the Special Deputy Collector, Vigilance Cells (CS), Ongole Rc.No/SDC/Veg/12/2016, dated 29.11.2016.

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS &DM)(FAC)

//FORWARDED:BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI Y.HANUMANTHA RAO, FORMER JR.ASST., O/O TAHSILDAR, ONGOLE AND PRESENT ADDITIONAL REVENUE INSPECTOR, O/O TAHSILDAR, KONDAPI ARE PROPOSED TO BE SUSTAINED.

Special Deputy Collector, Vigilance Cells (CS), Ongole.

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS &DM)(FAC)

//FORWARDED:BY ORDER//

SECTION OFFICER